

1006 Rec'd PCT/PTO 29 SEP 2005

FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>016906-0430</b> U.S. APPLICATION NUMBER (if known, see 37 C.F.R. 1.5) 10/551183 U.S. filing date 10/31/2003
INTERNATIONAL APPLICATION NO. PCT/EP2004/002336	INTERNATIONAL FILING DATE 03/08/2004	PRIORITY DATE CLAIMED 03/31/2003
<b>TITLE OF INVENTION</b> HEAT EXCHANGER AND METHOD FOR TREATING THE SURFACE OF SAID HEAT EXCHANGER		
<b>APPLICANT(S) FOR DO/EO/US</b> Snjezana BOGER, Peter ENGLERT; Klaus FISCHLE, Oliver MAMBER and Sabine SEDLMEIR		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>Items 11 to 20 below concern other document(s) or information included:</b>		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

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JC20 Rec'd PCT/PTO 29 SEP 2005

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER					
Unassigned 190551183		PCT/EP2004/002336	016906-0430					
The following fees have been submitted:								
21. <input checked="" type="checkbox"/> Basic national fee		\$300	\$ 300.00					
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100	\$ 200.00					
All other situations		\$200						
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100						
International Search Report prepared and provided to the Office		\$400						
All other situations		\$500	\$ 400.00					
<b>TOTAL OF ABOVE 21, 22 and 23 =</b>		\$ 900.00						
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.								
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE					
13 - 100 = 0	/50 = 0		x \$ 250.00					
\$ 0.00								
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))								
\$ 0.00								
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE					
Total Claims	19 - 20 = 0		x \$ 50.00					
Independent Claims	2 - 3 = 0		x \$ 200.00					
MULTIPLE DEPENDENT CLAIM(S) (if applicable)								
+ \$ 360.00								
<b>TOTAL OF ABOVE CALCULATIONS =</b> \$ 900.00								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.								
<b>SUBTOTAL =</b> \$ 900.00								
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).								
<b>TOTAL NATIONAL FEE =</b> \$ 900.00								
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property								
<b>TOTAL FEES ENCLOSED =</b> \$ 900.00								
<table border="1"> <tr> <td>Amount to be refunded:</td> <td></td> </tr> <tr> <td>charged:</td> <td></td> </tr> </table>					Amount to be refunded:		charged:	
Amount to be refunded:								
charged:								
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$900.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>								
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.								
SEND ALL CORRESPONDENCE TO:								
<p>Foley &amp; Lardner LLP Customer Number: 22428</p> <p><i>for 34371</i> SIGNATURE Richard L. Schwaab NAME 25,479 REGISTRATION NUMBER</p>								

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Snjezana BOGER et al.

Corres. to PCT/EP2004/002336

For: HEAT EXCHANGER AND METHOD FOR TREATING THE SURFACE OF  
SAID HEAT EXCHANGER

## TRANSLATOR'S DECLARATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, the below-named translator, certify that I am familiar with both the German and the English language, that I have prepared the attached English translation of International Application No. PCT/EP2004/002336, and that the English translation is a true, faithful and exact translation of the corresponding German language paper.

I further declare that all statements made in this declaration of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of legal decisions of any nature based on them.

September 13, 2005

Date:



Name: N. T. SIMPKIN

For and on behalf of RWS Group Ltd